

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SERGIO KHOROSH and
VERA KHOROUGH,

Plaintiffs,

v.

U.S. CUSTOMS AND BORDER
PROTECTION,

Defendant.

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08 Civ. 543 (AKH)

Notice of Motion To Dismiss

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of the Motion to Dismiss, the United States Customs and Border Protection, by and through its attorney, Michael J. Garcia, United States Attorney for the Southern District of New York, Sharon E. Frase, Assistant United States Attorney, of counsel, hereby moves before the Honorable Alvin K. Hellerstein, United States District Judge, to dismiss the above-captioned complaint.

Dated: New York, New York
April 8, 2008

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
United States of America

By:


Sharon E. Frase (SEF-4906)
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To:

Sam Braverman, Esq.
Law Office of Sam Braverman
901 Sheridan Avenue, Suite 201
Bronx, New York 10451
(718) 293-1977

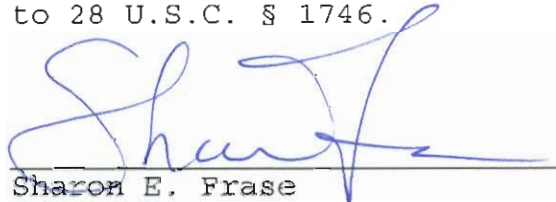
CERTIFICATE OF SERVICE

I, Sharon E. Frase, depose and say that I am employed in the Office of the United States Attorney for the Southern District of New York.

That on April 8, 2008, I served one copy of the within Notice of Motion To Dismiss and supporting Memorandum of Law, by email and Federal Express to:

Sam Braverman, Esq.
Law Office of Sam Braverman
901 Sheridan Avenue, Suite 201
Bronx, New York 10451
(718) 293-1977

I declare under penalty of perjury that the foregoing is true and correct, pursuant to 28 U.S.C. § 1746.



Sharon E. Frase
Assistant United States Attorney
Tel: (212) 637-2329

Dated: New York, New York
April 8, 2008